

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

LYDIA MARIAN BAKER,)
)
Plaintiff,)
)
v.) No. 3:05-CV-224
) (VARLAN/GUYTON)
PETRO STOPPING CENTER KNOXVILLE,)
TENNESSEE and PETRO STOPPING CENTER)
L.P. EL PASO, TEXAS,)
)
Defendants.)

REPORT AND RECOMMENDATION

This case is before the undersigned, pursuant to referral from District Judge Thomas A. Varlan [Doc. 6], for consideration of the defendants' Motion to Compel Arbitration [Doc. 4]. The said motion was filed on June 1, 2005. The plaintiff has not filed a response to the motion or otherwise communicated to the court on objection to the submission of this case to arbitration.

Based on the applicable provisions of the Federal Arbitration Act, the case law of this Circuit, and the entire record in this case, the Court finds that the Motion To Compel Arbitration

[Doc. 4] is well taken, and therefore, it is recommended that the said motion be **GRANTED**, that the parties be directed to arbitrate all issues raised, and that this case be dismissed without prejudice.¹

ENTER:

s/ H. Bruce Guyton
United States Magistrate Judge

¹Any objections to this report and recommendation must be served and filed within ten (10) days after service of a copy of this recommended disposition on the objecting party. Failure to file objections within the time specified waives the right to appeal the District Court's order. Thomas v. Arn, 474 U.S. 140 (1985). The District Court need not provide de novo review where objections to this report and recommendation are frivolous, conclusive, or general. Mira v. Marshall, 806 F.2d 636, 637 (6th Cir. 1986). Only specific objections are reserved for appellate review. Smith v. Detroit Federation of Teachers, 829 F.2d 1370, 1373 (6th Cir. 1987).